

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Alexander BUBLEWITZ et al

Serial No.: 10/053,878

Filing Date: January 24, 2002

For: TWO-STEP CURABLE MIXER-SUITABLE MATERIALS



RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION UNDER 37 C.F.R. §1.53(b)

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Attention: APPLICATION BRANCH
MISSING PARTS OF APPLICATION

Sir:

With respect to the above-identified patent application, the following are filed herewith in response to the Notice to File Missing Parts of Nonprovisional Application under 37 C.F.R. §1.53(b), mailed february 12, 2002, copy attached.

- ☒ Declaration in compliance with 37 C.F.R. §1.63.
- ☒ Substitute Specification and Drawings Submitted in Accordance with 37 CFR 1.52 (b) (7)
- ☐ Small Entity Declaration under 37 C.F.R. §§1.9 and 1.27.
- ☐ Certified copy of ** Application No. **, filed **, the priority of which is claimed under 35 U.S.C. §119.
- ☒ If a Petition for Extension of time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge and fees necessary under 37 CFR 1.17 (a) - (d) to Deposit Account No. 06-1358. The Commissioner is also authorized to charge payment of any other additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1358.

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The Notice indicates that fees are due for 14 claims over 20 and for multiply dependent claims. However, as there are only 5 claims over 20 and no multiply dependent claims, applicant herewith submits the Filing Fee of \$480, which is calculated as follows:

	<u>Small Entity</u>	<u>Large Entity</u>	
Basic Filing Fee	\$370.00	\$740.00	370.00
Total Claims <u>25</u> - 20 = <u>5</u>	(x \$9) =	(x \$18) =	45.00
Indep. Claims <u>1</u> - 3 = <u>0</u>	(x \$42) =	(x \$84) =	.00
<u>X</u> Surcharge: Late Filing	+ \$65	+ \$130	65.00
TOTAL FILING FEES \$			⁺ 480.00

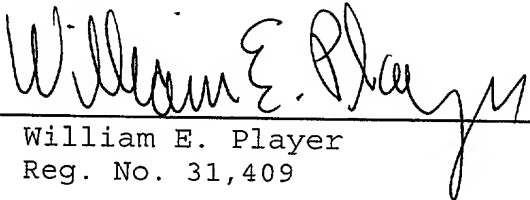
Check No. 57756, in the amount of \$480.00, is enclosed to cover the filing fee and late filing surcharge.

The Commissioner is hereby authorized to debit or credit any fees set forth in §1.16 or §1.17 to Deposit Account No. 06-1358 as needed in order to effect proper filing of the application. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By


William E. Player
Reg. No. 31,409

400 Seventh Street, N.W.
Washington, D.C. 20004-2201
(202) 638-6666

Atty. Docket No.: P66496US1
Date: April 12, 2002
WEP:jrc

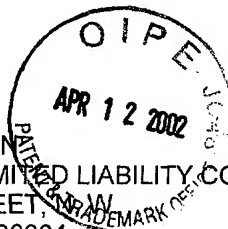


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/053,878	01/24/2002	Alexander Bublewitz	P66496US1

LAW OFFICES OF
JACOBSON HOLMAN
PROFESSIONAL LIMITED LIABILITY COMPANY
400 SEVENTH STREET, N.W.
WASHINGTON, DC 20004



CONFIRMATION NO. 7201

FORMALITIES LETTER



OC000000007459398

Date Mailed: 02/12/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$266.
 - \$126 for 14 total claims over 20.
 - \$140 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 701.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
 - The specification cannot be scanned or properly stored. Page(s)

04/16/2002 BABRAHAL 00000040 10053875

01 FC:201 370.00 DP
02 FC:205 65.00 DP
03 FC:203 45.00 DP

05/07/2002 VTRUONG1 00000002 061358 10053878

01 FC:203 81.00 CH
02 FC:204 140.00 CH

- Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and

COPY



PART 2 - COPY TO BE RETURNED WITH RESPONSE

[illegible]

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Alexander Bublewitz, et al.

Serial No.: 10/053,878

Filed: January 24, 2002



For: TWO-STEP CURABLE MIXER-SUITABLE MATERIALS

**SUBSTITUTE SPECIFICATION AND DRAWINGS
SUBMITTED IN ACCORDANCE WITH 37 CFR 1.52(b)(7)**

Commissioner of Patents
Washington, DC 20231

Sir:

Applicants hereby submit substitute papers in response to the Notice to File Missing Parts mailed February 12, 2002, in accordance with 37 CFR 1.52(b)(7).

The Notice to File Missing Parts requires, *i.a.*, timely submitting a substitute specification in response. Apparently, together with the replacement pages comprising the substitute specification, a replacement page, or pages, for the originally filed drawings must be submitted, according to the Notice to File Missing Parts. That is, the Notice states (page 2, *emphasis in original*):

*The drawings filed are unacceptable because:
Replacement page(s), together with a statement that the the replacement pages
contain no new matter, are required;*

however, the Notice does not give any reason for the alleged unacceptability.

Accordingly, the substitute papers hereby submitted for entry into the record in place of the originally filed counterparts are:

- substitute specification (including claims and abstract) pages and

– substitute drawings (i.e., Fig. 1 and Fig. 2) page.

The substitute specification and drawings pages, hereby submitted, contain no new matter.

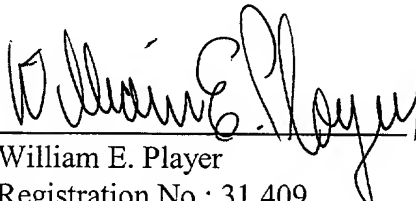
As mentioned, above, the Notice fails to explain what is "*unacceptable*" about the originally filed drawings. Thus, Applicants cannot know what the PTO requires to render the drawings acceptable. In any event, this failure makes the Notice defective and, as such, insufficient to the extent it requires submitting substitute drawings. Notwithstanding the defect in the Notice, Applicants submit the substitute drawings page in a good faith effort to respond to the Notice and, thereby, advance prosecution.

Favorable action is requested.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By:


William E. Player
Registration No.: 31,409

Date: April 12, 2002

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